

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANDREW MOSS,

Plaintiff,

UNSEALING ORDER

-against-

THE CITY OF NEW YORK, CORRECTION OFFICER
ASHLEY LEWIS, CORRECTION OFFICER EBAKA,
CAPTAIN SMITH, ACHIM HUGGINS, OFFICER DOES
NOS. 1-10, DOCTOR DOE 1, and NURSE DOE 1,

23-CV-01632 (PAE)

Defendants.

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WHEREAS, Plaintiff commenced this action by filing a complaint on or about February 27, 2023 in the United States District Court for the Southern District of New York;

WHEREAS, discovery has commenced and Initial Disclosures are due to be served by November 17, 2023;

WHEREAS, defendants the City of New York and Achim Huggins intend to produce certain video footage to Plaintiff concerning the December 28, 2021 incident between Plaintiff and DOC staff as a part of their initial disclosures;

WHEREAS, upon information and belief, such video recordings portray the faces of non-parties, including inmates whose arrest records and subsequent incarceration may be sealed pursuant to New York Criminal Procedure Law §§ 160.50 and 160.55; and

NOW, THEREFORE, IT IS HEREBY ORDERED that the video recordings from the New York City Department of Correction (“DOC”) concerning the December 28, 2021 incident between Plaintiff and DOC staff are unsealed pursuant to New York Criminal Procedure Law §§ 160.50 and 160.55 and may be made available for use in this civil action; and

IT IS FURTHER ORDERED that said video recordings shall be deemed confidential and used only for the purposes of prosecuting and defending against Plaintiff’s claims in this civil suit.

SO ORDERED:


HON. PAUL A. ENGELMAYER
UNITED STATES DISTRICT JUDGE
Dated: 11/16, 2023